

WESTTOWN TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING
STOKES ASSEMBLY HALL, 1039 WILMINGTON PIKE
September 15, 2008 7:30Pm

In attendance were Supervisors Chair Thomas A. Foster, Vice Chair Carol R. De Wolf, and Charles P. Barber Police Commissioner; Township Manager Robert Layman; Westtown-East Goshen Police Chief John M. Dumond; Township Solicitor Robert F. Adams and Township Planning Commission Secretary Elaine L. Adler. There were nineteen guests in attendance.

I. Call to Order.

As there was a quorum present Chair Thomas Foster called the meeting to order at 7:30 PM and led those present in the pledge of allegiance to the flag.

II. Approval of Minutes (September 2, 2008 Regular Meetings).

Ms. De Wolf made a motion, seconded by Mr. Foster, to approve the minutes of the September 2, 2008 regular meeting. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the minutes as presented.

III. Departmental Reports.

A. Westtown-East Goshen Police Chief John M. Dumond.

Chief Dumond reviewed the August Police Report. He reported on the incident on Williams Way in East Goshen. It has been determined that this was a murder/suicide and the District Attorney has closed the case. Chief Dumond stated that playing fields and lawn were vandalized at Stetson Middle School. The damage amounted to approximately \$10,000. He stated that the Police have a suspect in the case. He also reported that there has been a rash of stolen motorcycles from the Rosehill and Waterview Apartments in East Goshen. The Department is working with the State Police Auto Theft task force on these incidents. The Police Academy started last week with twelve people attending and will run for twelve weeks.

B. Township Solicitor – Robert F. Adams.

1. Adopt Ordinance 2008-1 Zoning Amendment Overlay District.

Mr. Adams stated that the hearing had been continued from September 2, 2008. At the close of the hearing on the motion of Mr. Barber, seconded by Ms. De Wolf, the Board of Supervisors unanimously adopted Ordinance 2008-1 Zoning Amendment Overlay District. (Transcripts of the hearing are available at the Township Office upon completion).

2. Conditional Use Hearing Tract 2006-6 Presby Homes.

The hearing was opened by Mr. Adams and continued until September 22, 2008 7:30Pm at the Township Office. (Transcripts available at the Township Office upon completion).

3. Conditional Use Hearing Tract 2006-5 Crebilly Farms.

The hearing was opened by Mr. Adams and continued until September 22, 2008, 7:30Pm at the Township Office. (Transcripts available at the Township Office upon completion).

4. Conditional Use Hearing Tract 2008-3 Westminster Presbyterian Church.

Ed Mc Falls, a member of the Board of Directors of Westminster Presbyterian Church, was in attendance.

Mr. Adams stated that the hearing is for approval for use of a tent in the church court yard as a temporary structure. The hearing has been advertised. At the close of the hearing the Board of Supervisors granted Conditional Use with conditions for the temporary structure. (Transcripts available at the Township Office upon completion).

C. Planning Commission – Elaine L. Adler.

Mrs. Adler reported on the September 3rd, Planning Commission Meeting. She stated that the Commission reviewed the Conditional Use application of Westminster Presbyterian Church for the use of a tent as a temporary structure. The Commission made a recommendation to the Board of Supervisors that they approve the Conditional Use with conditions. Mrs. Adler stated that this week's Planning Commission meeting has been canceled. The only agenda item was the Rustin Pump Station plan which is still being revised by the WCASD. Mr. Foster asked what issues are still outstanding with the pump station. Mrs. Adler stated that the District is still in discussion with SEPTA concerning an access easement. The Township would like to extend the access easement around the pump station. Mrs. Adler said the Township is ready to proceed and have extended plan review to the October 22nd Commission meeting. She also stated that the Board must act on the plan by their November 3rd meeting or accept another extension.

Walter Pavelchek, 1050 S. New Street, commented that the Parks Advisory Group has been trying for a long time to extend the Township trail system to connect with Thornbury's trail system by using the SEPTA underpass. He asked if a provision for the trail could be included in the plan that is under discussion. Mrs. Adler advised Mr. Pavelchek that the current plans do not involve an easement under Route 926. She stated that this is an obvious connection from Rustin and had been previously discussed with SEPTA.

Financial Report – Robert Layman.

Mr. Layman reviewed the July Financial report. He stated that overall the Township finances are where they were expected to be this time of the year. Revenues are up in taxes and in particular the earned income tax. Revenues are up in zoning and subdivision fees reimbursed by developers. Wastewater revenues were down in July due to the slow payment of user fees. Mr. Layman, in reviewing expenditures, stated that the Township's liability and property insurance increased this year. and that the road improvement project was over by \$30,000. Ms. De Wolf asked what the Township's commitment is for the TMDL project. Mr. Layman stated that this item was not included in the wastewater budget but that our current commitment has been paid. He stated that a bill was submitted by the consultant for an additional \$4200 which has not been approved by the Board. He also stated that Hall & Associates still bringing this issue before the State legislature and if there are no results it would go to litigation. If this happens it appears some of the participating communities would drop out of this effort.

IV. Public Comment-Non Agenda Items.

There was no public comment.

Old Business:

There was no old business at this time.

VI. New Business:

A. Approve Final Payment 2008 Road Program Charlestown Paving in The Amount of \$330,257.59.

Mr. Layman stated that the Township Engineer has reviewed and approved the payment request. There was 10% overage in the cost of asphalt due to the increased price of oil which was covered by a provision in the contract.

Mr. Barber made a motion, seconded by Ms. De Wolf, to approve the final payment for the 2008 road program to Charlestown Paving in the amount of \$330,257.59. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the payment.

B. Acknowledge the 2009 Minimum Municipal Obligation (“MMO”) Westtown Township Pension Plan.

Mr. Layman presented the 2009 MMO to the Board. He stated that they do not have to approve the MMO only acknowledge that it has been presented at a public meeting.

Mr. Barber made a motion, seconded by Ms. De Wolf, acknowledging the presentation of the 2009 MMO. Mr. Foster asked for public comment. There was no public comment. The Board of Supervisors unanimously approved the motion.

VII. Public Comment (All Topics).

Mr. Pavelchek said it appears that the zoning ordinance amendment is still being fine tuned before it is passed. Mr. Foster stated that the amendment to the zoning ordinance had been passed this evening. Mr. Pavelchek then stated that the Board has passed an ordinance that was not complete. Mr. Foster said in order to pass the ordinance the applicant had to apply to certain conditions which they have done. Mr. Adams said that everything had been completed by the applicant in order to pass the ordinance. Mr. Pavelchek said his point is that the public needs to be made aware of how this ordinance changes the regulations relative to the Crebilly property. Mr. Foster said the amendment to the ordinance creates an overlay district which will allow for the development of a CCRC on 95 acres of the property. Ms. De Wolf said the purpose of the ordinance was to have an overall plan that would provide for responsible development of the whole property. The highest density would be on the east side of the property with open space and large lot development on the west side. There could also be corporate or business development on the east side as defined in the ordinance by protective language. There could be an increase in our tax base but development of the property will involve sewer and traffic concerns. Mr. Pavelchek stated he appreciated the summary. Mr. Foster said that there will be a brief article in the upcoming Township Newsletter explaining the ordinance. The concept is to have higher density in one area with less overall density on the remainder of the property.

VIII. Payment of Bills.

On the motion of Mr. Barber, seconded by Ms. De Wolf, the Board of Supervisors unanimously approved payment of the bills as presented.

IX. Adjournment.

On the motion of Ms. De Wolf, seconded by Mr. Barber the meeting was adjourned at 8:41Pm.

Respectfully Submitted,

Robert Layman,
Township Manager